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THE COUNCIL OF THE CITY OF LONGMONT, COLORADO, ORDAINS:

Chapter 16.20 of the Longmont Municipal Code is hereby repealed and reenacted to read as follows:

Pursuant to Part 2 of Article 16 of Title 31, CRS, as amended, and Article IV, Municipal Charter of the City of Longmont, Colorado, there is adopted as the property maintenance code of the City, by reference thereto, the International Property Maintenance Code, 2012 Edition, published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478, that code to have the same force and effect as if set forth in this chapter in every particular, save and except such portions as are added, amended, deleted, or replaced in this chapter. All references in this code to the International Property Maintenance Code are to the edition referenced above.

At the time of adoption, one certified true copy of the International Property Maintenance Code, published by the International Code Council is on file in the office of the city clerk and may be inspected by any interested person between the hours of eight a.m. and five p.m., Monday through Friday, holidays excepted. The city shall keep a copy of the adopted code in the office of the chief enforcement officer for public inspection. The building code, as finally adopted, is available for sale at the office of the city clerk, at a price reflecting cost to the city as established by the city manager, pursuant to this municipal code.

Section 101.1 of the International Property Maintenance Code is amended by insertion of “the City of Longmont” within the brackets.

16.20.040 Section 102.3 amended--Application of other codes.

1 Section 102.3 of the International Property Maintenance Code is deleted in
2 its entirety and replaced with the following:

3 Repairs, additions or alterations to a structure, or change of use or occupancy,
4 shall be done in accordance with all current adopted codes.

5 16.20.050 Section 103.1 amended--General

6 Section 103.1 of the International Property Maintenance Code is amended
7 by the addition of the following to sentence one:

8 “or designee”.

9 16.20.060 Section 103.5 replaced--Fees.

10 Section 103.5 of the International Property Maintenance Code is deleted in
11 its entirety and replaced with the following:

12 Fees for the administration and enforcement of this code shall be
13 established from time to time by resolution of the city council.

14 16.20.070 Section 106 replaced--Violations.

15 Section 106 of the International Property Maintenance Code is deleted in
16 its entirety and replaced with the following:

17 106.1 Unlawful acts. It is unlawful for any person to erect, install, alter,
18 repair, relocate, add to, replace, demolish, use, occupy or maintain any building or
19 structure, or cause or permit the same to be done, in violation of this code.

20 106.2 Violation. Any person committing or permitting a violation of this
21 code commits a separate offense for each day or part of a day during which the
22 violation exists. Offenses are punishable according to Chapter 1.12 of the
23 Longmont Municipal Code.

24 106.3 Violation penalties. Imposition of one penalty for any violation
25 shall not excuse the violation nor permit it to continue, and all such persons shall
26 correct or remedy such violations or defect within a reasonable time. In addition
27 to any other penalties, any violation of this code is a public nuisance and shall be
28 enjoined by a court of competent jurisdiction. For provisions relating to public
29 nuisance see Longmont Municipal Code Chapter 9.04. Nothing in this code shall
30 prevent the city attorney from seeking appropriate legal or equitable relief from
31 any court of competent jurisdiction. The chief building official shall certify, to

1 the city clerk, as a proposed charge and lien against the subject property, the cost,
2 plus a twenty percent administrative service charge, of any such action taken
3 pursuant to such court action or pursuant to the following sections of the
4 International Property Maintenance Code:

5 §108. 1.3, Closing of vacant structures unfit for human habitation and
6 occupancy, or

7 §110.3 Demolition of structures dangerous, unsafe, insanitary or otherwise
8 unfit for human habitation or occupancy, that are un-repairable, un-repaired or on
9 which normal construction has ceased for more than two years.

10 106.4. Notice of Assessment; Appeal of Charges.

11 (a) Upon receipt of the statement of charges, the city clerk shall mail
12 to the owner of record of the subject property a notice, stating the amount and
13 grounds for the charges; that the City proposes to assess the charges against the
14 property; and that, pursuant to section 16.30.040 of Longmont Municipal Code,
15 any objections to the proposed assessment must be made in writing and filed with
16 the office of the city clerk within fourteen (14) days from the date of receipt of
17 such notice. Upon the expiration of the fourteen (14) day period, if the city clerk
18 receives no objections, the finance director shall, pursuant to C.R.S § 31-20-105,
19 certify such charges to the office of the treasurer of the county that includes the
20 property, for collection in the same manner as taxes authorized by C.R.S. Title 31.

21 (b) If the property owner files an appeal with the city clerk before the
22 expiration of the fourteen (14) day period, the finance director shall refer the
23 matter to the master board of appeals for determination, according to Chapter
24 16.30 of the Longmont Municipal Code.

25 (c) Upon conclusion of administrative review, the master board of
26 appeals shall determine, in writing, whether the charges are proper. The city shall
27 have the burden of proof, by a preponderance of the evidence. According to that
28 determination, the master board of appeals shall affirm, cancel or reduce the
29 charges. The master board of appeals shall furnish a copy of this determination to
30 the person making the objections together with a notice of such person's right to

1 appeal to the District Court, according to Chapter 16.30 of the Longmont
2 Municipal Code.

3 (d) The master board of appeals, on appeal, may reduce or cancel a
4 proposed assessment if it is determined that any of the following did not conform
5 to the provisions of this Ordinance:

6 (1) Any required notice to correct the subject violations; or

7 (2) The work performed in abating the nuisance; or

8 (3) The computation of charges.

9 (e) Upon a final determination by the master board of appeals
10 affirming or reducing the charges, the City Clerk shall certify a copy of the
11 determination to the finance director, who shall certify such charges to the office
12 of the treasurer of the county, as provided above.

13 16.20.080 Section 107.5 amended--Penalties.

14 Section 107.5 of the International Property Maintenance Code is amended
15 by deleting the reference to "106.4" and substituting "106.2 and 106.3" as
16 amended.

17 16.20.090 Section 108.1.5 amended—Dangerous structure or premises.

18 Section 108.1.5 of the International Property Maintenance Code is
19 amended by the addition of the following:

20 12. Any portion or member or appurtenance thereof is likely to fail, or to
21 become detached or dislodged, or to collapse and thereby injure persons or
22 damage property.

23 13. Any portion thereof has wracked, warped, buckled or settled to such an
24 extent that walls or other structural portions have materially less resistance to
25 winds or earthquakes than is required in the case of similar new construction.

26 14. The exterior walls or other vertical structural members list, lean or buckle to such an
27 extent that a plumb line passing through the center of gravity does not fall inside the
28 middle one third of the base.

29 15. The building or structure, exclusive of the foundation, shows 33 percent or more
30 damage or deterioration of its supporting member or members, or 50 percent damage or
31 deterioration of its non-supporting members, enclosing or outside walls or coverings.

1 16. Any building or structure has been constructed, exists or is maintained in violation of
2 any specific requirement or prohibition applicable to such building or structure provided
3 by the building regulations of this jurisdiction, as specified in the Building Code or
4 Housing Code, or of any law or ordinance of this state or jurisdiction relating to the
5 condition, location or structure of buildings.

6 17. Any building or structure which, whether or not erected in accordance with all
7 applicable laws and ordinances, has in any non-supporting part, member or
8 portion less than 50 percent, or in any supporting part, member or portion less
9 than 66 percent of the (i) strength, (ii) fire-resisting qualities or characteristics, or
10 (iii) weather-resisting qualities or characteristics required by law in the case of a
11 newly constructed building of like area, height and occupancy in the same
12 location.

13 16.20.100 Section 110.1 amended—General.

14 Section 110.1 of the International Property Maintenance Code is amended
15 by deleting the last sentence in this section and adding “Where deemed necessary
16 by the code official, boarding per Appendix A may be required”.

17 16.20.110 Section 111 replaced--Means of appeal.

18 Section 111 of the International Property Management Code is deleted in
19 its entirety and replaced with the following:

20 111.1 General. For provisions relating to the board of appeals, see
21 Chapter 16.30 of the Longmont Municipal Code.

22 16.20.110 Section 112.4 amended—Failure to comply.

23 Section 112.4 of the International Property Management Code is amended
24 to read as follows:

25 It shall be a violation of this code for any person to continue any work
26 after having been served with a stop work order, except such work as that person
27 is directed to perform to remove a violation or unsafe condition.

1 16.20.120 Section 202 addition--Definitions.

2 Section 202 of the International Property Maintenance Code is amended
3 by the deletion of the definition for bedroom and replace with the following:

4 BEDROOM/SLEEPING ROOM: An enclosed space within a dwelling
5 unit, used or intended to be used for sleeping purposes, meeting the minimum
6 area requirements of the building code or containing a closet or similar area which
7 is easily converted into a closet (such space needs only doors to become a closet).

8 16.20.130 Section 302.1 amended--Sanitation.

9 Section 302.1 of the International Property Maintenance Code is amended
10 by the addition of the following:

11 For provisions relating to offensive premises see 9.04.100 of the
12 Longmont Municipal Code.

13 16.20.140 Section. 302.3 amended Sidewalks and driveways

14 Section 302.3 of the International Property Maintenance Code is amended
15 by the addition of the following section:

16 Section 302.3.1 Surfacing. Any required front or side yard setback
17 adjacent to a street, on which a vehicle is driven or parked, must be surfaced with
18 asphalt, concrete or gravel. If gravel, the parking surface must be at least three
19 inches deep and must be kept free of vegetation and, if necessary, provide a
20 border to prevent parking surface from spreading. At least sixty percent of any
21 yard adjacent to a street and seventy-five percent for all yards adjacent to a street
22 on a corner lot, shall be landscaped. No parking shall be permitted in landscape
23 areas.

24 16.20.150 Section 302.4 amended--Weeds.

25 Section 302.4 of the International Property Maintenance Code is amended
26 by the addition of the following:

27 For provisions relating to weeds see chapter 9.32 of the Longmont
28 municipal code.

29 16.20.160 Section 302.5 amended--Rodent harborage.

30 Section 302.5 of the International Property Maintenance Code is amended
31 by the addition of the following:

1 For provisions relating to rodents see chapter 9.16 of the Longmont
2 municipal code.

3 16.20.170 Section 302.8 amended--Motor vehicles.

4 Section 302.8 of the International Property Maintenance Code is amended
5 by the addition of the following:

6 For provisions relating to motor vehicles see chapter 11.12 of the
7 Longmont municipal code.

8 16.20.180 Section 302.9 amended – Defacement of property.

9 Section 302.9 of the International Property Maintenance Code is amended
10 to read as follows:

11 No person shall willfully or wantonly damage, mutilate or deface any
12 exterior surface of any structure or building on any private or public property by
13 placing thereon any marking, carving or graffiti.

14 It shall be the responsibility of the owner to promptly report defacement of private
15 property exterior surface and to cooperate with the code official to ensure that
16 said surface is restored to an approved state of maintenance and repair.

17 Upon determining that the measures outlined in the preceding paragraph of this
18 section will not restore the surface to an approved state of maintenance, the code
19 official is authorized, pursuant to section 107 of this code, to issue a correction
20 order to the owner. Upon failure of the owner to satisfy the correction order
21 through any available public agency or by contract or arrangement by private
22 persons and may pursue assessment and collection of the cost thereof according to
23 sections 106.3 and 106.4. (Ord. 0-2006-40 § 1)

24 16.20.190 Section 303.1 amended – Swimming pools.

25 Section 303.1 of the International Property Maintenance Code is amended
26 by the addition of “spas, hot tubs, ornamental ponds or any other water features”
27 after the word swimming pools in the first sentence.

28 16.20.200 Section 303.2 added-- Enclosures.

29 Section 303.2 of the International Property Maintenance Code is amended
30 by the addition of the following section:

1 Section 303.2.1 for provisions relating to swimming pool fencing and
2 setbacks see section 15.04.030 and 15.05.010 of the Longmont municipal code.

3 16.20.210 Section 304.1.1 amended - Unsafe conditions.

4 Section 304.1.1 of the International Property Maintenance Code is
5 amended by replacing the words “shall be repaired or replaced” with the words
6 “may be required to be repaired or replaced”.

7 16.20.220 Section 304.14 replaced--Insect screens.

8 Section 304.14 of the International Property Maintenance Code is deleted
9 in its entirety and replaced with the following:

10 Insect screens shall be provided on every exterior door, all operable
11 windows and any outside opening required for ventilation of habitable rooms,
12 food preparation areas, food service areas or any areas where products to be
13 included or utilized in food for human consumption are processed, manufactured,
14 packaged or stored shall be supplied with approved tightly fitting screen of not
15 less than 16 mesh per inch and every door used for insect control shall have a self-
16 closing device in good working condition. Screens shall be maintained free from
17 tears, holes, or other imperfections of either screen or frame that could admit
18 insects such as flies or mosquitoes.

19 16.20.230 Section 304.15 amended—Doors

20 Section 304.15 of the International Property Maintenance Code is
21 amended by deleting the words “operator systems if provided” in sentence one.

22 16.20.240 Section 304.19 amended--Gates

23 Section 304.19 of the International Property Maintenance Code is deleted
24 in its entirety and replaced with the following:

25 304.19 Automated gates. All exterior automated gates, gate assemblies,
26 operator systems if provided, and hardware shall be maintained in good condition.
27 Latches at all entrances shall tightly secure the gates.

28 16.20.250 Section 305.1.1 amended - Unsafe conditions.

29 Section 305.1.1 of the International Property Maintenance Code is
30 amended by replacing the words “shall be repaired or replaced” with the words
31 “may be required to be repaired or replaced”.

1 16.20.260 Section 306.1.1 amended - Unsafe conditions.

2 Section 306.1.1 of the International Property Maintenance Code is
3 amended by replacing the words “shall be repaired or replaced” with the words
4 “may be required to be repaired or replaced”.

5 16.20.270 Section 307.1 amended--General

6 Section 307.1 of the International Property Maintenance Code is deleted in
7 its entirety and replaced with the following:

8 Every interior and exterior stairway shall comply with the International
9 Building Code Sections 1003, 1009, 1012 and 1013 and residential stairways in
10 one and two family dwellings shall comply with International Residential Code
11 sections R311 and R312.

12 16.20.280 Section 402.2 amended—Common halls and stairways

13 Section 402.2 of the International Property Maintenance Code is deleted in
14 its entirety and replaced with the following:

15 Every common hall and stairway shall be lighted at all times with at least a
16 60-watt standard incandescent light bulb for each 200 square feet of floor area or
17 equivalent illumination, provided the spacing between lights is not greater than 30
18 feet. Means of egress, including exterior means of egress, stairways shall be
19 illuminated at all times the building space served by the means of egress is
20 occupied, with a minimum of 1 footcandle at floors, landings, ramps and treads.

21 16.20.290 Section 404.4.1 amended—Room area

22 Section 404.4.1 of the International Property Maintenance Code is deleted
23 in its entirety and replaced with the following:

24 Every living room shall contain at least 120 square feet and every
25 bedroom shall contain at least 70 square feet.

26 16.20.300 Section 404.5 amended—Overcrowding

27 Section 404.5 of the International Property Maintenance Code is deleted in
28 its entirety and replaced with the following:

29 The number of persons occupying a dwelling unit shall not create
30 conditions that, in the opinion of the code official, endanger the life, health, safety
31 or welfare of the occupants.

1 16.20.310 Section 503.4 amended—Floor surface.

2 Section 503.4 of the International Property Maintenance Code is deleted in
3 its entirety and replaced with the following:

4 503.4 Sanitation. In other than dwelling units, floors of toilet rooms shall
5 be finished with a smooth nonabsorbent material that extends upward on the walls
6 at least 5 inches (127mm). Walls within 2 feet (610mm) of the front and sides of
7 urinals and water closets shall be finished with a smooth nonabsorbent material to
8 a height of 4 feet (1219mm).

9 16.20.320 Section 506.1 replaced – General.

10 Section 506.1 of the International Property Maintenance Code is deleted in
11 its entirety and replaced with the following:

12 All plumbing fixtures shall be properly connected to a public sewer
13 system.

14 16.20.330 Section 601.1 amended – Scope.

15 Section 601.1 of the International Property Maintenance Code is amended
16 with the addition of the following section:

17 Section 601.1.1 Carbon monoxide detection. Carbon monoxide detection
18 must be provided in all residential occupancies having a fuel fired appliance or
19 attached garage, when the property has any interior work performed requiring a
20 building permit or whenever the unit has a change in ownership or tenancy. The
21 detectors shall be installed within 15 feet of any sleeping area and may be battery
22 powered, hard wired or cord and plug type.

23 16.20.340 Section 602.3 amended--Heat supply

24 Section 602.3 of the International Property Maintenance Code is amended
25 as follows:

26 Insert in the date “September 1st” to “May 1st” into the brackets.

27 16.20.350 Section 602.4 amended--Occupiable work spaces

28 Section 602.4 of the International Property Maintenance Code is amended
29 as follows:

30 Insert in the date “September 1st” to “May 1st” into the brackets.

31 16.20.360 Section 604.3.1.1 amended--Electrical equipment

1 Section 604.3.1.1 of the International Property Maintenance Code is
2 amended by replacing the words “shall be repaired or replaced” with the words
3 “may be required to be repaired or replaced,” and replacing the reference to the
4 “International Building Code” with “adopted electrical code.”

5 16.20.370 Section 604.3.2.1 amended--Electrical equipment

6 Section 604.3.2.1 of the International Property Maintenance Code is
7 amended by replacing the words “shall be repaired or replaced” with the words
8 “may be required to be repaired or replaced,” and replace reference to the
9 “International Building Code” with “the adopted electrical code.”